

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ANTOINE DESHAWN BARNES,

Plaintiff,

v.

DIRECTOR, CALIFORNIA  
DEPARTMENT OF CORRECTIONS, et  
al.,

Defendants.

No. 2:20-cv-00861-TLN-DB

**ORDER**

Plaintiff Antoine Deshawn Barnes (“Plaintiff”), a state prisoner proceeding *pro se*, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 1, 2020, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within thirty days. (ECF No. 6.) Plaintiff has filed objections to the findings and recommendations. (ECF No. 8.)

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed *de novo*. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983); *see also* 28 U.S.C. § 636(b)(1).

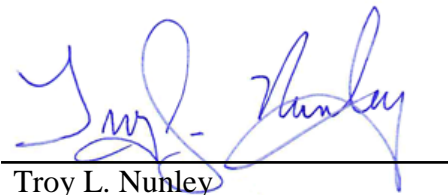
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2 Having carefully reviewed the entire file, the Court finds the findings and  
3 recommendations to be supported by the record and by proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations filed July 1, 2020 (ECF No. 6), are ADOPTED IN  
6 FULL;  
7 2. Plaintiff's motion to proceed in forma pauperis (ECF No. 2) is DENIED;  
8 3. Plaintiff's complaint (ECF No. 1) is DISMISSED without leave to amend; and  
9 4. Plaintiff's motion for immediate release (ECF No. 5) is DENIED.

10 IT IS SO ORDERED.

11 DATED: October 28, 2020

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Troy L. Nunley  
United States District Judge